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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/720,135	OCHI ET AL.
Office Action Summary	Examiner	Art Unit	
	SYED BOKHARI	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *40-69* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *40-69* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 68 and 69 are rejected under 35 U.S.C. 102(e) as being anticipated by

Huart et al. (USPN 7,013,267).

        Huart et al. disclose a communication system for reconstructing voice information

with the following features: regarding claim 68, a voice data receiving system,

comprising (Fig. 5, a flow chart illustrating a method performed at the destination for

reconstructing voice sample, see "destination 14 supports the receipt and reconstruction

of voice samples" recited in col. 7, lines 62-63), a packet division unit configured to

divide each of the plurality of received packets into corresponding plurality of real time

communication packets (Fig. 4, a flow chart illustrating a method performed at a source

to generate and communicate voice samples and a voice parameter, see "source 12

generates a packet with voice sample (step 320 and 322)" recited in column 7, lines

31-34) and a communication terminal configured to reproduce voice data based on the

corresponding plurality of real-time communication packets for each of the plurality of

received packets (Fig. 5, a flow chart illustrating a method performed at the destination

for reconstructing voice sample, see "in sequence generating voice sample 124 for

presentation to the speaker (step 426)" recited in column 8, lines 10-22); regarding

claim 69, a method of processing packets received over a communication path, the

method comprising receiving a plurality of packets over the communication path (Fig. 5,

a flow chart illustrating a method performed at the destination for reconstructing voice

sample, see "destination 14 supports the receipt and reconstruction of voice samples"

recited in column 7, lines 62-63), dividing each of the plurality of packets into a

corresponding plurality of real-time communication packets (Fig. 4, a flow chart

illustrating a method performed at a source to generate and communicate voice

samples and a voice parameter, see "source 12 generates a packet with voice sample

(step 320 and 322)" recited in column 7, lines 31-34) and reproducing voice data based

on the corresponding plurality of real-time communication packets for each of the

plurality of packets (Fig. 5, a flow chart illustrating a method performed at the

destination for reconstructing voice sample, see "in sequence generating voice sample

124 for presentation to the speaker(step 426)" recited in column 8, lines 10-22).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

    1.   Determining the scope and contents of the prior art.
    2.   Ascertaining the differences between the prior art and the claims at issue.
    3.   Resolving the level of ordinary skill in the pertinent art.
    4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

5.   This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6.   Claims 40-47, 49-55 and 57-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huart et al. (USPN 7,013,267) in view of McDonald (USPN 6,480,827) and further in view of Tucker et al. (US 6,055,495).

        Huart et al. disclose the following features: regarding claim 40, a voice data transmitting system, comprising a communication terminal configured to generate

packets based on voice data (Fig. 1, illustrates a system that includes a destination that

reconstructs voice information, see "processor 26 performs sampling, digitizing,

conversion, packetizing or any other appropriate processing" recited in column 3, lines

8-14) and a packet combine unit configured to combine, for each of the clause units,

every packet of the packets that includes portions of the voice data for the clause unit

into a corresponding single packet (Fig. 1, illustrates a system that includes a

destination that reconstructs voice information, see "where a single packet transmitted

on the network may contain multiple voice samples" recited in column 3, lines 8-14, and

column 7, lines 3 1-34); regarding claim 41, the packet combine unit configured to

transmit, for each of the clause units, the corresponding single packet over a

communication path (Fig. 1, illustrates a system that includes a destination that

reconstructs voice information, see "where a single packet transmitted on the network

may contain multiple voice samples and the voice parameter pertains to all voice

samples in the packet, such that if the voice parameter is a phoneme, as outlined

above, then all samples in the phoneme should be in the packet " recited in column 3,

lines 8-14, and column 7, lines 12-17); regarding claim 42, further comprising a file

producer unit configured to produce, for each of the clause units, a corresponding file

including the corresponding single packet (Fig. 1, illustrates a system that includes a

destination that reconstructs voice information, see "where the transmitter produces a

single set of data, i.e. a "file" that includes all the voice samples and the voice

parameter" recited in column 4, lines 16-18); regarding claim 43, the file producer unit

configured to transmit, for each of the clause units, the corresponding file further

comprising transmitting, for each of the clause units, the corresponding file (Fig. 1,

illustrates a system that includes a destination that reconstructs voice information, see

"where the transmitter produces a single set of data, i.e. a "file" that includes all the

voice samples and the voice parameter" recited in col. 4, lines 16-18); regarding

claim 44, the file producer unit configured to include, for each of the clause units,

discrimination data in the corresponding file indicating contents of the corresponding file

(Fig. 1, illustrates a system that includes a destination that reconstructs voice

information, see "where the voice parameter is, as broadly defined, discrimination data"

recited in col. 4, lines 16-18); regarding claim 45, further comprising a transmission

monitoring unit configured to determine a communication state as at least one of a first

state, a second state, and a third state (Fig. 1, illustrates a system that includes a

destination that reconstructs voice information, see "where the system determines the

mode of operation it is conducting " recited in column 4, lines 21-27), the voice data

transmitting system configured to transmit the packets in a case where the transmission

monitoring unit determines the communication state as being the first state (Fig. 1,

illustrates a system that includes a destination that reconstructs voice information, see

"where each sample may be transmitted individually in a given mode " recited in column

4, lines 21-27 and column 3, lines 63-67), transmit, for each of the clause units, the

corresponding single packet in a case where the transmission monitoring unit

determines the communication state as being the second state (Fig. 1, illustrates a

system that includes a destination that reconstructs voice information, see "where

multiple samples may be transmitted in a single packet in a given mode " recited in

column 4, lines 21-27 and column 3, lines 63-67) and transmit, for each of the clause

units, the corresponding file in a case where the third state (Fig. 1, illustrates a system

that includes a destination that reconstructs voice information, see "where a single

packet may be accompanied by a voice parameter in a given mode where the single

packet in conjunction with the voice parameter is the corresponding file" recited in

column 4, lines 21-27); regarding claim 46, further comprising: a transmission

monitoring unit configured to determine a communication state as at least one of a first

state and a second state (Fig. 1, illustrates a system that includes a destination that

reconstructs voice information, see "where the system determines the mode of

operation it is conducting " recited in column 4, lines 21-27), the voice data transmitting

system configured to transmit the packets in a case where the transmission monitoring

unit determines the communication state as being the first state (Fig. 1, illustrates a

system that includes a destination that reconstructs voice information, see "where each

sample may be transmitted individually in a given mode" recited in column 4, lines 21-27

and column 3, lines 63-67) and transmit, for each of the clause units, the corresponding

single packet in a case where the transmission monitoring unit determines the

communication state as being the second state (Fig. 1, illustrates a system that includes

a destination that reconstructs voice information, see "where multiple samples may be

transmitted in a single packet in a given mode" recited in

column 4, lines 21-27 and column 3, lines 63-67); regarding claim 47, the

communication terminal configured to generate the packets as real-time communication

packets (Fig. 4, a flow chart illustrating a method performed at a source to generate and

communicate voice samples and a voice parameter, see "the session established at

step 300 may include a real-time protocol (RTP)", recited in column 7, lines 22-25);

regarding claim 49, the voice recognizer unit configured to (Fig. 1, illustrates a system

that includes a destination that reconstructs voice information, see "the processor 26

generates a voice parameter that may be a pitch period magnitude measure" recited in

column 7, lines 12-17); regarding claim 50, the voice recognizer unit configured to (Fig.

1, illustrates a system that includes a destination that reconstructs voice information,

see "the processor 26 generates a voice parameter that may be a pitch period

magnitude measure" recited in column 7, lines 12-17); regarding claim 54, a method of

creating voice packets, comprising generating packets based on voice data (Fig. 1,

illustrates a system that includes a destination that reconstructs voice information, see

"processor 26 performs sampling, digitizing, conversion, packetizing or any other

appropriate processing" recited in column 3, lines 8-14) and combining, for each of the

clause units, every packet of the packets that includes portions of the voice data for the

clause unit into a corresponding single packet (col. 3, lines 8-14, where a single packet

transmitted on the network may contain multiple voice samples, see also col. 7, lines 3

1-34); regarding claim 55, further comprising transmitting, for each of the clause units,

the corresponding single packet over a communication path (Fig. 1, illustrates a system

that includes a destination that reconstructs voice information, see "where a single

packet transmitted on the network may contain multiple voice samples and the voice

parameter pertains to all voice samples in the packet, such that if the voice parameter is

a phoneme, as outlined above, then all samples in the phoneme should be in the packet

" recited in column 3, lines 8-14, and column 7, lines 12-17); regarding claim 57, the

generating comprising generating the packets as real-time communication packets (Fig.

4, a flow chart illustrating a method performed at a source to generate and

communicate voice samples and a voice parameter, see "the session established at

step 300 may include a real-time protocol (RTP)", recited in column 7, lines 22-25);

regarding claim 58, further comprising producing, for each of the clause units, a

corresponding file including the corresponding single packet (Fig. 1, illustrates a system

that includes a destination that reconstructs voice information, see "where the

transmitter produces a single set of data, i.e. a "file" that includes all the voice samples

and the voice parameter" recited in column 4, lines 16-18); regarding claim 59, further

comprising transmitting, for each of the clause units, the corresponding file over a

communication path (Fig. 1, illustrates a system that includes a destination that

reconstructs voice information, see "where the transmitter produces a single set of data,

i.e. a "file" that includes all the voice samples and the voice parameter" recited in col. 4,

lines 16-18); regarding claim 60, the producing comprising including, for each of the

clause units, discrimination data in the corresponding file that indicates contents of the

corresponding file (Fig. 1, illustrates a system that includes a destination that

reconstructs voice information, see "where the voice parameter is, as broadly defined,

discrimination data" recited in col. 4, lines 16-18); regarding claim 61, further comprising

determining a communication state as at least one of a first state, a second state, and a

third state (Fig. 1, illustrates a system that includes a destination that reconstructs voice

information, see "where the system determines the mode of operation it is conducting "

recited in column 4, lines 21-27), transmitting the packets over a communication path in

a case where the communication state is determined to be the first state (Fig. 1,

illustrates a system that includes a destination that reconstructs voice information, see

"where each sample may be transmitted individually in a given mode " recited in column

4, lines 21-27 and column 3, lines 63-67), transmitting, for each of the clause units, the

corresponding single packet over the communication path in a case where the

communication state is determined to be the second state (Fig. 1, illustrates a system

that includes a destination that reconstructs voice information, see "where multiple

samples may be transmitted in a single packet in a given mode " recited in column 4,

lines 21-27 and column 3, lines 63-67) and transmitting, for each of the clause units, the

corresponding file over the communication path in a case where the communication

state is determined to be the third state (Fig. 1, illustrates a system that includes a

destination that reconstructs voice information, see "where a single packet may be

accompanied by a voice parameter in a given mode where the single packet in

conjunction with the voice parameter is the corresponding file" recited in column 4, lines

21-27); regarding claim 62, further comprising determining a communication state as at

least one of a first state and a second state (Fig. 1, illustrates a system that includes a

destination that reconstructs voice information, see "where the system determines the

mode of operation it is conducting " recited in column 4, lines 21-27), transmitting the

packets over a communication path in a case where the communication state is

determined to be the first state (Fig. 1, illustrates a system that includes a destination

that reconstructs voice information, see "where each sample may be transmitted

individually in a given mode" recited in column 4, lines 21-27 and column 3, lines 63-67)

and transmitting, for each of the clause units, the corresponding single packet over the

communication path in a case where the communication state is determined to be the

second state (Fig. 1, illustrates a system that includes a destination that reconstructs

voice information, see "where multiple samples may be transmitted in a single packet in

a given mode" recited in column 4, lines 21-27 and column 3, lines 63-67).

Huart et al. do not disclose the following features: regarding claim 40, a voice

recognizes unit configured to determine divisions of utterances represented by the voice

data at which there are pauses in speech and configured to divide the voice data into

clause units in accordance with the divisions in a manner such that in a case where a

Dart of the voice data specifies a plurality of speech sounds between two of the division,

a corresponding clause unit of the clause units includes the part of the voice data that

specifies the plurality of speech sounds; regarding claim 49, determine the divisions

based on a sound level of a voice that produces the utterances represented by the

voice data; regarding claim 50, determine the divisions based on a sound pitch of a

voice that produces the utterances represented by the voice data; regarding claim 51,

the voice recognizer unit configured to determine the divisions based on a movement of

lips of a user that produces the utterances represented by the voice data; regarding

claim 52, the voice recognizer unit configured to determine the divisions based on

vibrations of a throat of a user that produces the utterances represented by the voice

data; regarding claim 53, the voice recognizer unit configured to determine the divisions

based on externally provided instructions; regarding claim 54, determining divisions of

utterances represented by the voice data at which there are pauses in speech, dividing

the voice data into clause units in accordance with the divisions in a manner such that in

a case where a part of the voice data specifies a plurality of speech sounds between

two of the divisions, a corresponding clause unit of the clause units includes the part of

the e voice data that specifies the plurality of speech sounds; ; regarding claim 63, the

determining comprising determining the divisions based on a sound level of a voice that

produces the utterances represented by the voice data; regarding claim 64, the

determining comprising determining the divisions based on a sound pitch of a voice that

produces the utterances represented by the voice data; regarding claim 65, the

determining comprising determining the divisions based on a movement of lips of a user

that produces the utterances represented by the voice data; regarding claim 66, the

determining comprising determining the divisions based on a movement of lips of a user

that produces the utterances represented by the voice data and regarding claim 67, the

determining comprising determining the divisions based on externally provided

instructions.

McDonald disclose a communication system for voice which obtains greater

speech correlation performance between input and output utilizing a speech post-

processor with the following features: regarding claim 40, a voice recognizes unit

configured to determine divisions of utterances represented by the voice data at which

there are pauses in speech (Fig. 2, a block diagram showing the receiver portion of the

method and apparatus, see "the speech post processor 62 has a recognizer and parser

which parses them into corresponding phonemes" recited in column 4, lines 39-41 and

column 2, lines 13-18); regarding claim 49, determine the divisions based on a sound

level of a voice that produces the utterances represented by the voice data(Fig. 3, a

flow chart of the speech post processor, see "the parsing operation is done in any

conventional manner" recited in column 4, lines 27-35); regarding claim 50, determine

the divisions based on a sound pitch of a voice that produces the utterances

represented by the voice data (Fig. 3, a flow chart of the speech post processor, see

"the parsing operation is done in any conventional manner" recited in column 4, lines

27-35); regarding claim 51, the voice recognizer unit configured to determine the

divisions based on a movement of lips of a user that produces the utterances

represented by the voice data (Fig. 3, a flow chart of the speech post processor, see

"the parsing operation is done in any conventional manner" recited in column 4, lines

27-35); regarding claim 52, the voice recognizer unit configured to determine the

divisions based on vibrations of a throat of a user that produces the utterances

represented by the voice data (Fig. 3, a flow chart of the speech post processor, see

"the parsing operation is done in any conventional manner" recited in column 4, lines

27-35); regarding claim 53, the voice recognizer unit configured to determine the

divisions based on externally provided instructions (Fig. 3, a flow chart of the speech

post processor, see "the parsing operation is done in any conventional manner" recited

in column 4, lines 27-35); regarding claim 54, determining divisions of utterances

represented by the voice data at which there are pauses in speech (Fig. 2, a block

diagram showing the receiver portion of the method and apparatus, see "the speech

post processor 62 has a recognizer and parser which parses them into corresponding

phonemes" recited in column 4, lines 39-41 and column 2, lines 13-18); regarding

claim 63, the determining comprising determining the divisions based on a sound level

of a voice that produces the utterances represented by the voice data (Fig. 3, a flow

chart of the speech post processor, see "the parsing operation is done in any

conventional manner" recited in column 4, lines 27-35); regarding claim 64, the

determining comprising determining the divisions based on a sound pitch of a voice that

produces the utterances represented by the voice data (Fig. 3, a flow chart of the

speech post processor, see "the parsing operation is done in any conventional manner"

recited in column 4, lines 27-35); regarding claim 65, the determining comprising

determining the divisions based on a movement of lips of a user that produces the

utterances represented by the voice data (Fig. 3, a flow chart of the speech post

processor, see "the parsing operation is done in any conventional manner" recited in

column 4, lines 27-35); regarding claim 66, the determining comprising determining the

divisions based on a movement of lips of a user that produces the utterances

represented by the voice data (Fig. 3, a flow chart of the speech post processor, see

"the parsing operation is done in any conventional manner" recited in column 4, lines

27-35) and regarding claim 67, the determining comprising determining the divisions

based on externally provided instructions (Fig. 3, a flow chart of the speech post

processor, see "the parsing operation is done in any conventional manner" recited in

column 4, lines 27-35)

It would have been obvious to one of the ordinary skill in the art at the time of

invention to modify the system of Huart et al. by using the features, as taught by

McDonald, in order to provide a voice recognizes unit configured to determine divisions

of utterances represented by the voice data at which there are pauses in speech and

configured to divide the voice data into clause units in accordance with the divisions in a

manner such that in a case where a Dart of the voice data specifies a plurality of speech

sounds between two of the division, a corresponding clause unit of the clause units

includes the part of the voice data that specifies the plurality of speech sounds, the

divisions based on a sound level of a voice that produces the utterances represented by

the voice data, the divisions based on a sound pitch of a voice that produces the

utterances represented by the voice data, the voice recognizer unit configured to

determine the divisions based on a movement of lips of a user that produces the

utterances represented by the voice data, the voice recognizer unit configured to

determine the divisions based on vibrations of a throat of a user that produces the

utterances represented by the voice data and the voice recognizer unit configured to

determine the divisions based on externally provided instructions. The motivation of

using these functions is to enhance the system in a cost effective manner.

Haurt et al. and McDonald do not disclose the following features: Regarding

claim 40, configured to divide the voice data into clause units in accordance with the

divisions in a manner such that in a case where a Dart of the voice data specifies a

plurality of speech sounds between two of the division, a corresponding clause unit of

the clause units includes the part of the voice data that specifies the plurality of speech

sounds; regarding claim 54, dividing the voice data into clause units in accordance with the divisions in a manner such that in a case where a part of the voice data specifies a plurality of speech sounds between two of the divisions, a corresponding clause unit of the clause units includes the part -of the voice data that specifies the plurality of speech sounds;

Tucker et al. disclose a communication system for managing of voice data with speech segmentation and processing of speech data with the following features: Regarding claim 40, configured to divide the voice data into clause units in accordance with the divisions in a manner such that in a case where a Dart of the voice data specifies a plurality of speech sounds between two of the division, a corresponding clause unit of the clause units includes the part of the voice data that specifies the plurality of speech sounds (Fig. 3, a block diagram indicating software components of the system, see "enabling segmentation of speech data to a pre-selected size corresponding to phrase and dividing the speech data by the target block length" recited in column 1 lines 65-67 and column 2 lines 1-15); regarding claim 54, dividing the voice data into clause units in accordance with the divisions in a manner such that in a case where a part of the voice data specifies a plurality of speech sounds between two of the divisions, a corresponding clause unit of the clause units includes the part of the e voice data that specifies the plurality of speech sounds (Fig. 3, a block diagram indicating software components of the system, see "enabling segmentation of speech data to a pre-selected size corresponding to phrase and dividing the speech data by the target block length" recited in column 1 lines 65-67 and column 2 lines 1-15);

It would have been obvious to one of the ordinary skill in the art at the time of

invention to modify the system of Haurt et al. with McDonald by using the features, as

taught by Tucker et al., in order to provide configured to divide the voice data into

clause units in accordance with the divisions in a manner such that in a case where a

Dart of the voice data specifies a plurality of speech sounds between two of the division,

a corresponding clause unit of the clause units includes the part of the voice data that

specifies the plurality of speech sounds. The motivation of using these functions is to

enhance the system in a cost effective manner.

7.   Claims 48 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Huart et al. (USPN 7,013,267) in view of McDonald (USPN 6,480,827) and Tucker

et al. (US 6,055,495) as applied to claims40 and 54 above, and further in view of Cox et

al. (US 6,775,652 B1).

Huart et al., McDonald and Tucker et al. disclose the claimed limitations as

described in paragraph 6 above. Huart et al., McDonald and Tucker et al. do not

disclose the following features: regarding claim 48, the packet combine unit configured

to retransmit, upon receiving a retransfer request for a clause unit of the clause units,

the corresponding single packet for the clause unit; regarding claim 56, further

comprising retransmitting, upon receiving a retransfer request for a clause unit of the

clause units, the corresponding single packet for the clause unit;

Cox et al. disclose a communication system foe speech recognition over lossy transmission system with the following features: regarding claim 48, the packet combine unit configured to retransmit, upon receiving a retransfer request for a clause unit of the clause units, the corresponding single packet for the clause unit (Fig. 2, depicts a method of coding, packetizing, transmitting and recognizing speech over a lossy transmission system, see "request for retransmission of missing or corrupted packet is made at step 136 and packet is transmitted from the at step 128 from the storage for each packet before transmission at step 126" recited in column 1 lines 57-67, column 2 lines 1-2 and column 7 lines 2-5); regarding claim 56, further comprising retransmitting, upon receiving a retransfer request for a clause unit of the clause units, the corresponding single packet for the clause unit (Fig. 2, depicts a method of coding, packetizing, transmitting and recognizing speech over a lossy transmission system, see "request for retransmission of missing or corrupted packet is made at step 136 and packet is transmitted from the at step 128 from the storage for each packet before transmission at step 126" recited in column 1 lines 57-67, column 2 lines 1-2 and column 7 lines 2-5);

It would have been obvious to one of the ordinary skill in the art at the time of invention to modify the system of Huart et al. with McDonald and Tucker et al. by using the features, as taught by Cox et al., in order to provide the packet combine unit configured to retransmit, upon receiving a retransfer request for a clause unit of the clause units, the corresponding single packet for the clause unit. The motivation of using this function is to enhance the system in a cost effective manner.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Us 2001/0053975 A1 (Kurihara), US 5,058,167 (Kimura) and US 6,044,348 (Imade et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED BOKHARI whose telephone number is (571)270-3115. The examiner can normally be reached on Monday through Friday 8:00-17:00 Hrs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang B. Yao can be reached on (571) 272-3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Examiner, Art Unit 2616

9/25/2008

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